

**MINUTES  
CITY OF ST. CHARLES, IL  
GOVERNMENT SERVICES COMMITTEE MEETING  
MONDAY, MARCH 23, 2015, 7:00 P.M.**

**Members Present:** Chairman Martin, Aldr. Stellato, Aldr. Silkaitis, Aldr. Payleitner, Aldr. Lemke, Aldr. Turner, Aldr. Bancroft, Aldr. Krieger, Aldr. Bessner, Aldr. Lewis

**Members Absent:** None

**Others Present:** Raymond Rogina, Mayor; Peter Suhr, Director of Public Works; Chris Adesso, Asst. Director of Public Works -Operations; Karen Young, Asst. Director of Public Works -Engineering; John Lamb, Environmental Services Manager; A.J. Reineking, Public Works Manager; Tom Bruhl, Electric Services Manager; James Keegan, Police Chief; Joe Schelstreet, Fire Chief

**1. Meeting called to order at 7:00 p.m.**

**2. Roll Call**

**K. Dobbs:**

**Stellato:** Present

**Silkaitis:** Present

**Payleitner:** Present

**Lemke:** Present

**Turner:** Present

**Bancroft:** Present

**Martin:** Present

**Krieger:** Present

**Bessner:** Present

**Lewis:** Present

**3.a. Electric Reliability Report – Information only.**

**3.b. Tree Commission Minutes – Information only.**

**4.a. Presentation of a Concept Plan for Woodward Court.**

**Russell Colby presented.** This is a concept plan for a residential project called “Woodward Court” that is proposed for the Pine Ridge Park PUD. The concept plan was reviewed by the Plan Commission on March 17; their comments are included with the Executive Summary. As a concept plan, this is being presented for feedback only. Staff has suggested the Committee provide feedback on four things; the land use change from commercial to residential, the proposed unit count and density, the building architecture and the site layout. I will now turn it over to the applicant to make a brief presentation.

**Andrew Kolb**, 200 W. Main Street, St. Charles; I’m an attorney with Banack, Larson and Kolb LLC. Thank you for your time and allowing us to make a presentation for a concept plan review this evening. We are here on behalf of 1300 Spring Street LLC, which is an Illinois LLC. We are proposing a higher density residential development for what we would consider to be young, urban professionals and active adults. Our team is local to St. Charles and we have been in this community for a long time. Michael has a specialty in high end senior housing, including planning, construction and design of communities that are very upscale.

What we hope to obtain tonight would be initial feedback from all of you so we can get an understanding as to whether you support a rezoning of the property and modification of the Comprehensive Plan. We currently have the property under contract, its REO property with PNC Bank, who took the property in a foreclosure. We are quickly approaching a due diligence contingency and before we go further, we are trying to get a sense of whether this is something you support. Currently the property is zoned a Community Business District with a PUD overlay. The PUD is Ordinance 2006-Z-4. We are within the Pine Ridge Park PUD and we are proposing a modification of the zoning to RM3 – General Residential.

If you walk around the zoning map for this particular site, you will see public land, office research and lower density RM1 and RM2 residential. If the property is left in the current zoning classification, the types of uses that you’d see in BC include things like bus stations, temporary vehicle storage, mini warehouses, entertainment venues, gas stations, etc. We are proposing a residential community tied together to fill the demand for high end residential units for urban young adults and active seniors.

We are seeking five requests; rezone the property to RM3, modifications to your Comprehensive Plan to change the zoning, an amendment to the current PUD Ordinance, as well as preliminary and final PUD approval and subdivision approval. There are a number of standards that are applicable to rezoning; you look at the existing uses of nearby property, whether property values are being diminished by the current zoning classification. Because the property is already foreclosed, that seems self-explanatory.

If you look at the suitability of this property for what we are proposing, this is the best use for this property. It's near struggling retail, and adding that density will drive the retail along Rt. 64 and Randall Road to get this area developed. This property has been vacant for 25 years, and there is a community need for this type of residential. We have an interesting feasibility study that will show what the demand is for residential in this area. If you look at all those factors, the zoning change makes sense from our standpoint.

**Michael-Dean Chorneyko**, 77 High Gate Course, St. Charles; our offices are at 40W304 La Fox Road, St. Charles. Thank you, Chairman Martin and Council for taking the time to review our concept plan. We see an opportunity with this property to provide a vibrant community in St. Charles and attract people to a style of living that we don't currently have in the City. We are driving toward the millennial generation; the latest census shows the highest percentage of age is 23 year olds, the next are 24 and 22 year olds. This generation lives differently than previous generations; they more than likely are putting off homeownership and marriage for longer times, they are going to be experiencing life and spending money. They are in our community now; they just don't have a place they would like to live in. The other demographic who would be interested in our community are active adults; people who have roots in St. Charles and prefer to "lock and leave" to visit their grandchildren and spend time away from home.

This project is 240 units; 120 one bedrooms and 120 two bedrooms. We have commissioned a market study by Tracy Cross and Associates, a very good residential market study firm and they are going to have the full results of the study to us shortly. They did share with me that St. Charles, as of December has a 4.4 vacancy rate across the board in all apartments. They feel this project, if built today would be absorbed within 18 months at rents meeting or exceeding the rents that we have in town at the nicest communities.

We have a CMAP report which indicates that by 2040, we are going to be short over 2,000 of these dwelling units in St. Charles. We are looking to provide these people who have the income to spend a place to live in our community. This complex is going to be upper scale with amenities such as granite countertops and stainless steel appliances. It is planned to be nine buildings; three four-story buildings and six three-story buildings.

**Dave Schoening**, 40W304 LaFox Road, St. Charles. I would like to talk about the architectural design and concepts that we have incorporated. We designed the product to appeal to young professionals and active seniors looking for an upscale, modern apartment and community. We are looking to provide a specific experience that drives an upscale design. We know this concept is what consumers want because this concept has been successful in other projects throughout the Midwest.

We also design the buildings to be sensitive to the community in and around the area. The proportion and massing is appropriate for a residential area with ties to surrounding commercial uses. Instead of two or three monumental size buildings, we broke the apartments into nine smaller units. They are arranged for sensitivity of surrounding uses and for encouraging pedestrian circulation. The proportion of each building is further

broken down into small modules to define more pronounced residential scale. The residential proportions, elements and materials are incorporated to relate to the surrounding community. Elements such as stone headers, sills, double hung windows, masonry and siding all help relate to the residential feel. We have flat roofs, which are more than just a design element. They provide a place for mechanical equipment such as A/C condensers to help keep the site more attractive. It is also an energy saving attribute; white membrane roof can repel more of the sun's energy than a fiberglass shingle roof can.

These are three and four-story buildings, six three-story and three four-story, each with a 9,500 square foot footprint which gives us 15% lot coverage. There are 240 units, half of them are one bedroom and the other half is two bedrooms. The one bedroom units are 864 sq. ft. and the two bedrooms are 1,100 sq. ft. The buildings are designed with a durable, low maintenance veneer that will last for decades to come. There are 348 parking spots required and we have more than enough to accommodate that with just the surface parking.

The amenities of the apartments are designed for an active lifestyle in the community. There are walking paths to encourage pedestrian interaction throughout the site and surrounding areas, outdoor cooking/grilling areas, outdoor cabanas and pavilions, courtyards, lounge areas, patios, club house, outdoor swimming pool with locker rooms, fitness center, event and meeting rooms, game area, business center, coffee bar, self-service pet spa. The community will also provide 24 hour maintenance and free Wi Fi in public areas. Landscaping will be provided to enhance the upscale feel of the property and provide screening as appropriate.

With all the features we have incorporated, we feel this project will be an asset to the community. It will draw new residents, keep existing residents and provide new economic stimulus to adjacent commercial areas.

**Mr. Chorneyko:** We put a lot of thought into each phase. We have met with the homeowners and we had a good conversation. We wanted to take their concerns and adapted our original concept to take into consideration their concerns and come up with a winning situation.

We then had a Plan Commission meeting that they were nice enough to give us opinions and good support and we took the plan one more time and adapted it and made changes to make things more viable. We would like to get your opinion on the project and address any questions or concerns.

**Aldr. Bessner:** Can you talk about the build out schedule? Is it going to be in phases, or based on demand?

**Mr. Chorneyko:** The site lends itself really nicely to a phased construction plan. Our intent is to build the amenities and two buildings to the front of the site first. Part of the market study is saying that we will have an 18 month absorption rate, which is great

because we have a 24 month construction period. We wouldn't disturb the whole area at the same time, so we would be able to maintain a pleasant street scape during construction which is something that we are known for.

**Aldr. Bessner:** So the last phase would start based on an occupancy level?

**Mr. Chorneyko:** Correct.

**Aldr. Bessner:** I like the project a lot, I like the architectural style; I think it has a city flare to it. But I'm slightly concerned about any amenities that you are offering or the architectural styles that you are offering for those to possibly change down the road if you are not hitting your optimal rental pricing.

**Mr. Chorneyko:** Constructing the amenities and the pool first ensures that the amenities are going to be there. There is a shortage of 400 apartments in the Tri-City area, so that's an important fact to consider. Construction may be what allows us to fill up in an orderly fashion.

**Aldr. Silkaitis:** Notwithstanding the plan itself, my concern is changing the Comprehensive Plan. We spent a lot of time and money on this plan; we just did it last year and now you are asking us to basically throw that out and go with this project. At this time, I am not in favor of changing the Comprehensive Plan or Zoning. To be blunt, I would vote "no" on this.

**Aldr. Payleitner:** I have two concerns; I want to listen to what the neighbors are saying because when they built, this isn't what they had in mind for their next door neighbor. If they think this is better, great. If they say this isn't what they signed up for, I feel like we need to listen to that. Regarding the Comp Plan, a long time ago, there was a lot of bias against multi-family in our comp plan. At the time, I was just starting my involvement with the CMAP plan that was being issued at the time. As the mother of five millennials, I knew that we were not going to get away with not having any multi-family. But it seemed to me there was a very vocal group against multi-family in any of corridors and I knew this was going to come back to haunt us once the CMAP study came out. I take the Comp Plan change with a grain of salt because I remember the votes up here were swayed by the anti-multi-family contingency at the time.

**Mr. Chorneyko:** You are correct, when we first met with the homeowners, they did not envision this; I don't think anybody did. We want to be good listeners and partners and I think we are doing our best.

**Aldr. Lemke:** I think this is a listening exercise on both sides. As I looked at the staff report, I saw there was undoing of a lot of infrastructure that has been in place; this has been a long plan development and the infrastructure began to take place based on that. The Comp Plan is to remain in balance; that is, we need some of each to support the other. We have had some very good experience with the Moline site which has been one of our more successful developments. We are just opening paperwork on a plan at Kirk

Road adjacent to Division Street extended which if formerly the Regole site. We know there is absorption; I think perhaps the reason why this hasn't been absorbed as zoned is because it's been in foreclosure. While I've got nothing against the developers and the design, I think there may be other places in town that would be just perfect for this without us rezoning and changing the mix and ratios that we have.

**Aldr. Turner:** I have three main issues. Let's start with Woodward Drive; that's a collector. We have never run a collector road through a residential area, be it multi-family or single family and I'm not about to do that now. You are talking about your amenities; there is a 45 year old apartment complex on Randall Road that's two stories high, and it's got elevators. We have big complexes on the east and west side, they have the type of entrances you have, they've got wood construction and they've got garages. You have neither of those. This is almost a step backwards. I don't see seniors walking three flights of stairs and I don't see millennials parking their cars in the weather, let alone seniors. So those are two big drawbacks. I liked your original plan from last August; three floors of wood construction, bottom floor is brick construction, 216 units, 208 garage spaces. That plan wasn't perfect, but there was something to talk about. I think what you have presented here is actually pretty sterile. This would fit on a vacant lot downtown in our First Street area, but I don't see it fitting out here at all.

As far as the zoning goes; we have very little land left in this City and I don't think this is the best possible use for this land at this point. I'm willing to wait for a commercial development or I definitely want a higher end luxury unit than this. I don't consider this being luxury with no garages and no elevators.

**Mr. Chorneyko:** We changed the original site plan in response to the homeowners. These are still wood construction buildings. The four-story buildings will have elevators as an amenity and more than likely the three-story buildings will too. We are working on a concept for split parking, so we would have approximately 45% of our parking either underneath the buildings to some extent or with garages on site. What we are really after here is if we can we take this site and make a winning proposition? We are already working on some half in, half out parking, so it wouldn't be a full basement parking, but it would make the site work better.

As for the collector street, we've kept the amenities to the south side and we have separated that to the best we can. Aldr. Lemke, speaking to your traffic concerns; this type of use will reduce KLOA's Trip Traffic Report of 3,500 less trips per day than if this was built out as a commercial site.

**Aldr. Turner:** If this area gets connected to Randall sooner rather than later, this is going to be a really busy cut through. I think there will be a real safety issue here and again, I don't want to see a collector running through a residential area.

**Aldr. Krieger:** I have to agree with Aldr. Silkaitis on the rezoning so soon after we have completed our Comprehensive Plan. As far as the plan, I wouldn't want to live in an

apartment that backed up to Woodward Drive. The fact that you think people might walk three stories and park their car outside for your price point of \$2,000 – I don't think so. I would be very hesitant to support this.

**Aldr. Lemke:** KLOA did a study on apartments like this near Charlestowne Mall and it turns out that they were proposing there would be less traffic than before we had a record from Charlestowne Mall. Sometimes the results depend on who is doing the study and who is paying for it. Because I have examples like this, I don't have much faith in KLOA reports.

**Aldr. Lewis:** Thank you for coming tonight. I do share some of the same concerns about the Comprehensive Plan and the rezoning. I'm not one that moves very quickly when it comes to doing those types of things. I also share the concern about the mix of the millennials and the seniors. It seems like an odd combination to throw together in one apartment complex. Active seniors try to move away from that type of environment of the young millennials so I'm not sure that going after those two markets would be compatible. If I were to live in an apartment, I don't want to scrape my car windows, so I would look for a place with indoor parking.

**Mr. Chorneyko:** We are addressing that issue.

**Aldr. Krieger:** I don't see it here.

**Mr. Chorneyko:** This is a concept in working towards getting a feel of what would be the right mix, we start out with a blank slate and we add to it and we have been adding to it for the last year. What we would really like to have happen is we would like to see this piece of property be approved with the zoning use we are looking for.

**Aldr. Lewis:** I don't know that I'm personally ready to make that to rezone.

**Aldr. Bancroft:** I have a couple questions on Tracy Cross' study. Do the absorption numbers contemplate the new residential building that is going to be built in the downtown area?

**Mr. Chorneyko:** Correct; in fact, they did a study for the City a year ago for 72 units and that building might be pre-leased already. St. Charles hasn't had a new development of this size since 1999 when Amli was built. There is nothing new in town to attract the people who are looking to spend money in our town. That stock is getting older, not newer.

**Aldr. Bancroft:** My next question is related to the memo in the material provided to us by the Regency Estates residents. I'm not sure if you had time to digest that and if you had some level of response back to that?

**Mr. Chorneyko:** A lot of it was operational questions and I think there is some misinformation. Our market study is guiding our rent rates and the market study says

\$1.60 to \$1.70 a foot is appropriate rent for this project to date because it's brand new and it has nicer amenities than the existing projects. As a point of reference, Amli would be the nicest building in town and that backs onto Kirk Road which is different than backing onto Woodward. Their current rent structure is \$1,412 for their average rent, which is \$1.42 a foot, so we are about 10% higher in rent, but we have a brand new product.

**Chairman Martin:** I will open it up to public comment. If you have a comment, please give your name and address and try to keep it brief and not redundant.

**Brian Berkelhammer,** 226 Regency Court West: I am one of the Board Members in Regency Court and I am offended by a lot of the comments from Mr. Chorneyko saying that he has heard and taken into consideration the homeowners of Regency Estates. From almost everyone that I've talked to, no one is interested in having an apartment complex, much less this one. I don't think that we would be in support in any way towards having it rezoned outside of commercial. As Aldr. Payleitner stated, we moved there with the understanding that this was zoned for commercial and if changed, we would feel as though we were swindled and it got changed for the purposes of someone's profit and extra taxes for the City; that isn't something that we are interested in or think is fair.

We are concerned; in our neighborhood we have a lot of small children and we are concerned about safety, traffic, a number of things. The bottom line is by no means are we interested in having this be developed as apartment buildings.

**Chairman Stellato:** I wanted to wait until we heard comments from the audience before I made my comments. The purpose of our meeting tonight is to take the "temperature" of the Committee. There is no formal vote taken, we just give our opinions and the developer decides if they want to move forward or not. I don't think you are going to come out tonight with a clear consensus and that's your risk if you want to move forward.

I think you've heard some objections which could be tough to overcome and I waited to hear from the audience because as Aldr. Payleitner pointed out, that's very important to us. Staff asked us to weigh in on four issues; site layout, density, architecture and change in land use. We can always work through the architecture. I heard comments tonight about the site layout being divided by a collector road which we have not done in a multi-family development, so that would be hard to overcome. As for the density, we didn't get in to that topic too much. It comes down to the change in land use and I don't know if there is enough momentum to change the Comprehensive Plan.

Good or bad news, the goal of this concept plan analysis is to give you some direction. I know you are dealing with a time sensitive property seller, but this is at your own risk.

**Aldr. Turner:** I'm not prepared to change the Comp Plan at this point. I'm prepared to wait for a while longer.



**Aldr. Bancroft:** I agree with Aldr. Stellato; I think it's an uphill battle to get consensus right now.

**Aldr. Krieger:** I cannot support the current project.

**Attorney Kolb:** I want to thank everyone here. We are all somewhat surprised; I think the economics dictate what the highest and best use of the property is and I think the economics are clear with the current use, which is foreclosure. I think we are also surprised given the potential uses that could be there under the current zoning; we look at this as a really attractive alternative to what could be there with less traffic problems, lower traffic volume and taking an under-utilized piece of property and bringing residential that would drive the nearby commercial businesses.

We thank you for your comments and we will take them and consider whether we move forward. Thank you very much for your time.

**Mr. Chorneyko:** I would also like to say thank you very much for your time. We will make our decision and get back to you.

No further discussion.

#### **4.b. Presentation of Downtown St. Charles Brand.**

**Lynne Schwarz presented.** I'm Lynne Schwarz, Executive Director of the Downtown St. Charles Partnership, 2 E. Main Street, St. Charles. I'm very pleased to be here tonight as we roll out the new brand for Downtown St. Charles.

Power Point presentation by Lynne Schwarz.

The Brand Narrative tells our story in an engaging way and I would like to read that through for you:

"Downtown St. Charles is an authentic urban experience that can't be missed. Here, you can happily say goodbye to the all too familiar places and common place experiences and say hello to your unique cosmopolitan self. Located on the Fox River, Downtown is anything but main stream. It's a lively urban oasis where old meets new, business meets pleasure and active outdoor spaces meet active indoor places. Whether you come to work, play or live, your city side will be energized around every corner. For your foodie side, Downtown features notable historic buildings that are home to mouthwatering eateries.

There is also home to lively bars and clubs that serve up music, cocktails and after dinner fun. Meet up with friends, bring your family, co-workers or clients anytime for inspired breakfasts, lunches, drinks and dinners, or you can simply enjoy a casual cup of joe at the cozy coffee or sweet treat at an ice cream shop. For your cultural side, the Arcada Theater offers you a choice of live concerts and popular movies. The historic and

gracious Hotel Baker is a charming venue for corporate meetings, dancing, dining or a deluxe night sleep. The fresh air loving side of you can enjoy walking, running and biking along the Fox River Trail. You can take in an outdoor concert in Lincoln Park or enjoy the fun filled play areas at three of the green infused parks that border the Downtown area.

There are outdoor fairs, festivals and parades throughout the year that add to the urban spirit. The Fox River offers water lovers sunny paddleboat cruises alongside energizing kayak and canoeing adventures, or you can simply take in the relaxing water front views. Downtown is also a hub for business and urban dwellers. Businesses of all sizes enjoy the contagious Downtown buzz and convenience. The area also boasts city style apartments and loft living for those who are seeking an urban vibe. This is a full service downtown with everything from a well-stocked grocery to well-situated free parking.

No matter how you define your city side, you can ignite it thoroughly in Downtown St. Charles. Your city side is your sheik side, your saavy side. It lets you feel more connected, more energized. Morning, noon or night in Downtown St. Charles, there is always something to engage and delight the City side of you. Downtown St. Charles – Discover your City Side”.

We are very excited to unveil our new Downtown St. Charles Logo tomorrow evening at our branding launch party. We welcome all to attend the celebration tomorrow at the Arcada Theater. The doors will open at 5:00 p.m. with a logo unveiling at 5:30. We are excited to bring new things to Downtown St. Charles and look forward to seeing you tomorrow. Thank you for your time.

No further discussion.

**5.a Recommendation to approve the City of St. Charles Allocation of the Tri City Ambulance Association Budget Subject to the Approval of the City Budget.**

**Fire Chief Schelstreet presented:** At the March 13 meeting of the Tri-City Ambulance Board, they adopted their annual budget. That budget calls for a contribution from the City of St. Charles of \$310,174 which is a \$42,000 reduction from last year and also constitutes a \$40,000 savings for what was budgeted for this year.

The Tri City Ambulance Board also approved the contract renewal with Paramedic Services of Illinois and that only called for 1% increase over last year, so between the savings from our major expense which is PSI and favorable ambulance billings, we were able to achieve a substantial reduction from what we spent last year. This evening, I will be requesting of the committee a recommendation to approve the City of St. Charles allocation to the Tri City Ambulance Association budget, contingent upon approval of the FY 15/16 City budget.

**Aldr. Turner:** Mr. Chairman, I’m on the Tri City Ambulance Board of Directors; I’ve already voted on this so I’m going to recuse myself from this vote.

No further discussion.

Motioned by Aldr. Stellato, seconded by Aldr. Silkaitis. Approved by voice vote.  
**Motion carried**

**6.a. Presentation of 2014 Electric Reliability Report.**

**Tom Bruhl presented.** Given the time and the fact that I have a 20 slide Power Point presentation, I would like to ask if Chairman Martin would consider tabling this and I will come back and give the presentation next month.

No further discussion.

Motioned to table by Aldr. Krieger, seconded by Aldr. Stellato. Approved by voice vote.  
**Motion carried**

**6.b. Presentation of Proposed 2015 MFT Street Rehabilitation Project.**

**Karen Young presented.** This is the 2015 Street Program list of streets to be constructed. This is for information only; staff is currently working through the design review with IDOT and anticipates the project being out for construction this summer.

If you have any questions, I'll be happy to answer them, otherwise we'll be back in the coming months to bring the final list along with the approval award for the project.

**Aldr. Lemke:** When will the work be done?

**Mrs. Young:** It will start sometime in June.

**Aldr. Lemke:** So there is still enough time to bid it and get it done before the end of the season?

**Mrs. Young:** Yes, there is.

No further discussion.

**6.c. Recommendation to Waive the Formal Bid Procedure and approve HVAC Preventative Maintenance and Inspection Contract with Service Mechanical.**

**A.J. Reineking presented.** This is a heating, venting and air conditioning contract for the City's facilities. Service Mechanical has been the City's HVAC Maintenance Contractor for over 13 years. Their contract includes the inspection of preventative maintenance for 26 buildings including Public Works, Water, Wastewater and critical Lift Station facilities, Police, Fire, Century Station and City Hall. Service Mechanical's primary technician for all of our facilities lives here in St. Charles, and he has been very

responsive to our after hour calls as well as rapid deployment for routine maintenance. Service Mechanical has held their pricing through the recession for the City, and they have agreed to hold their current rate for an additional year.

There are many nuance's to an HVAC Contract and the automation system that goes with the contract, and having a service provider that's familiar with our facility, much less 26 facilities, is a great benefit to us. Staff recommends waiving the formal bid procedure and award the HVAC Maintenance Contract to Service Mechanical in an amount not to exceed \$72,564, pending the approval of the FY 15/16 budget.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Stellato. Approved by voice vote. **Motion carried**

**6.d. Presentation of the 2015 Brush Pick Up Program.**

**A.J. Reineking presented.** This item is for information only regarding the 2015 Brush Collection Program. As you may recall last year, the City entered into a five year contract with Kramer Tree Specialists for brush collection services. The program has historically been an eight month program, running April thru November; however, this contract is for seven collections annually.

Last year, the July collection was omitted and following feedback received from the community, the July collection has been reinstated this year. However, to maintain a cost neutral approach to the contract, we are going to be removing the November collection cycle this year. We are hoping this will be a low impact change, however, we will be advertising it heavily before the October collection urging residents to get their brush out so we will be using social media, the website and the Den to get the word out that the November collection will be cancelled this year.

**Aldr. Stellato:** I understand we are trying to get the word out, but there are going to be a lot of people who probably don't know when they are going to trim their shrubs. What does it cost us if we have to have somebody come back and do spot pick-ups? Only because it's the first year, it may take a while for people to get used to it.

**Mr. Adesso:** Typically for a spot pick up like that, we would work with Kramer Tree Service on an hourly rate, depending on the quantity of bush to be picked up or we would pick it up in house with public works staff, depending on quantity. I can tell you that the unit cost for a pick-up in the entire City is around \$22,400, so if you were to reinstate one entire pick up, expect it cost that much.

**Aldr. Lemke:** Other than the year we omitted the one in July – do we have a history to know when there was a light pick up?

**Aldr. Payleitner:** Yes, July; the month that they eliminated.

**Mr. Adesso:** That's a great question, and Aldr. Payleitner is correct; July was the indicated month with the lowest quantity over the last five years. It is worth noting that last season, you may recall we had a relatively large wind storm at the end of June, and that could have contributed to the troublesome July.

**Aldr. Payleitner:** I do appreciate this; the feedback I was receiving was that the interruption of service was much more detrimental than having a shortened season.

**Chairman Martin:** Our residents will appreciate a July pick up.

**Aldr. Stellato:** I agree; we got the same calls in our ward about July, so I'm happy to see that back, but I want to have the option to say if a small portion of the City needs to be done, we can pick it up.

**Mr. Adesso:** That's correct; we can schedule a pick-up, or do it in-house.

**Aldr. Lewis:** Do you have the July pick up date?

**Mr. Adesso:** It's been updated on the City's website, but I don't know it off the top of my head. It is back to the old schedule, so the west side pick-up is the third week of July.

**Aldr. Lewis:** I'm thinking of our America in Bloom; will it be after?

**Mr. Adesso:** Yes, it will be after; however, if we need to, we could work with Kramer for additional pick-up on an hourly basis if needed.

**Mr. Reineking:** Kramer is the brush collection contractor and they are also the leaf collection contractor, which takes place in November, so we can work with them to identify any missed areas.

No further discussion.

Motioned by Aldr. Silkaitis, seconded by Aldr. Bessner. Approved unanimously by roll call vote. **Motion carried.**

**6.e. Recommendation to approve Spring Tree Planting Contract with Pedersen Company.**

**A.J. Reineking presented.** Pederson Company has been the City's tree provider and planter for the bonded EAB Tree Replacement Program. In August 2014, Chris Adesso reported to you that 181 of the 326 standing ash trees had deteriorated and needed to be removed. Of those sites, 136 locations have been identified for replacement. In addition, another 70 locations had trees removed and been identified for replacement as well, making 206 total planting sites.

Pederson Company has agreed to extend their unit tree price from the EAB replacement program into this spring's tree planting season. That price includes the cost of the tree, installation, gator bag installation, initial watering, as well as a one year warranty.

Staff recommends approval of the tree planting contract with Pedersen Tree Company in the amount of \$72,100.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Silkaitis. Approved unanimously by voice vote. **Motion carried.**

**6.f. Recommendation to Waive the Formal Bid Procedure and approve Contract with K. Hoving Companies for the Street Sweeping Program.**

**A.J. Reineking presented.** There are approximately 366 curbed miles of streets throughout the City that require routine street sweeping in the spring, summer and fall months. In 2012, K. Hoving Companies was awarded a three year contract for street sweeping services which is due to expire April 30, 2015. The contract included eight City wide sweepings with two runs in November. They work with Kramer to work in conjunction with the leaf pick up program. K. Hoving has proposed to hold their 2014/2015 pricing for the 2015/2016 year with a 0% increase. It is my recommendation to approve the street sweeping contract with K. Hoving Companies in the amount of \$77,175, pending the approval of the 15/16 budget.

No further discussion.

Motioned by Aldr. Stellato, seconded by Aldr. Bancroft. Approved unanimously by voice vote. **Motion carried.**

**6.g. Recommendation to Waive the Formal Bid Procedure and approve Parking Lot Sweeping Maintenance Contract with Alliance Sweeping for the Downtown Parking Lot Sweeping Program.**

**A.J. Reineking presented.** In the same vein, we have 19 parking lots in the Downtown area that are maintained by the City. Parking lot street sweepings are performed on a weekly basis, generally starting in April and extending through the snow season with additional sweepings for special events Downtown. Parking lot street sweeping requires specialized equipment, which is why it is not bundled with the street sweeping program. There are tighter angles in parking lots and the helix for the west side parking deck has a low ceiling so the street sweeping won't fit up it, so special equipment is necessary to maneuver around our facilities.

Alliance was initially awarded a three year contract in 2008 and they have held their rates with a 0% increase since that time; they agreed to extend their rates for an additional year.

Staff recommends waiving the formal bid procedure and award the parking lot sweeping contract with Alliance Sweeping in the amount of \$40,600, pending approval of the FY 15/16 budget.

No further discussion.

Motioned by Aldr. Lemke, seconded by Aldr. Turner. Approved unanimously by voice vote. **Motion carried.**

**6.h. Recommendation to approve Amendment of Title 13 “Public Utilities”, Chapter 13.16, “Water”, Section 13.16.205 “Water Conservation” of the City Code.**

**John Lamb presented.** Staff is recommending amendments to the Water Conservation Section of the City Ordinance. I would like to point out that most of these changes are consistent with surrounding communities and also endorsed by the Northwest Water Planning Alliance, of which the City is a member of.

I’ve listed six of the main changes to the Ordinance:

- Currently, water conservation only applies between May and August; we changed that to apply year round.
- We changed sprinkling hours from 12:00 a.m. to 9:00 a.m. to **6:00 a.m.** to 9:00 a.m.
- We changed sprinkling hours from 6:00 p.m. to 10:00 p.m. to 6:00 p.m. to **9:00 p.m.**
- Currently, we do not prohibit the installation of sod, seed or landscaping anytime. We are changing that to prohibit the installation of sod, seed or landscaping in July and August.
- Currently there is no provision for waste of water; there is now waste of water prohibited. This refers to when people are overwatering their lawn and/or landscaping and the water runs down the driveway or sidewalk and into the street, which obviously is serving no purpose.
- There is a provision to have progressive fines from the current \$50 fine to progress to \$100 and \$200.
- The major change is the Emergency Proclamation language. Currently we do not have any language in our Ordinance for this provision. This would give the Mayor or City Administrator the opportunity to declare no watering at all during extreme drought conditions.

**Aldr. Krieger:** Who enforces this?

**Mr. Lamb:** Water Division staff keeps an eye on it and we have a couple Police Officers who are very good about observing the people who are violating.

**Aldr. Silkaitis:** Regarding “waste of water”, who determines what is wasteful? Is washing your car considered a waste of water?

**Mr. Lamb:** As far as enforcement, this one could be more difficult as opposed to someone who is running their sprinkler beyond the given hours. If there is indication of overwatering landscape and the water is just running down the sidewalk, that’s what we are looking for; not people washing their car for a short duration.

**Aldr. Stellato:** Does someone get a warning the first time?

**Mr. Lamb:** It works both ways. People are given a warning first, and then a ticket. This language gives progressive tickets for repeat offenders.

**Aldr. Lewis:** Regarding sprinkling, would that eliminate children in the afternoon running through sprinklers in the yard?

**Mr. Lamb:** That’s correct; that would be prohibited.

**Aldr. Lewis:** It’s been allowed prior to this during the day?

**Mr. Lamb:** Technically, no. This is only tightening up the hours, especially the midnight to 9:00 a.m.

**Aldr. Lewis:** What about filling up swimming pools?

**Mr. Lamb:** That’s fine; it’s a hand held device and we haven’t made any changes to those. The only changes you are seeing are the ones we have here. Hand held devices for watering or filling a pool are still allowed.

**Aldr. Lemke:** You haven’t made any changes to a soaker hose? Previously soaker hoses were allowed.

**Mr. Lamb:** Correct; they are technically still allowed because it’s not a sprinkling device.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Bessenr. Approved unanimously by voice vote. **Motion carried.**

**7.a. Recommendation to approve Changes to City of St. Charles City Code Title 9 “Public Peace, Morals and Welfare,” Chapter 9.45 “Nuisance Abatement”.**

**Deputy Chief Kintz presented.** The City recently approved changes to the Massage Business License and we are in the process of going through it now to get ready for May 1 licensing. One of the things we found in our discussions with command staff is that the



5.2 Business License allows us to deal with the actual licensee, and we want to make sure they are a legitimate massage establishment.

We would like to make revisions to 9.45, and you will notice the list of state statutes and local ordinances that constitute a violation as a chronic nuisance. We would like to add a section under the 5.2 Massage Licensing stating if an establishment has two violations in a 180 day period, we can go back to the landlord and make them culpable as well by having them check who they are leasing to. We have had great success with the discussions we have had with landlords and other people in terms of nuisance abatement and we think this will be another great tool.

No further discussion.

Motioned by Aldr. Stellato, seconded by Aldr. Bancroft. Approved unanimously by voice vote. **Motion carried.**

**7.b. Recommendation to approve Changes to City of St. Charles City Code Title 5 “Business Licenses and Regulations,” Chapter 5.36 “Solicitors”.**

**Deputy Chief Kintz presented.** These are changes to 5.36 Solicitors. We get a lot of calls during the summer months about solicitors and there are some items we want to tighten up. We want to make sure they pass appropriate background checks; we are not allowed to use our law enforcement computer checks to determine whether or not they are felons, and we obviously can’t allow convicted sex offenders or felons to solicit in town. We are going to ask that they submit through “Live Scan”, which is the electronic finger print system similar to what one would have to do in order to obtain a concealed carry permit. They have to go to a Live Scan vendor; it is stated in the Uniform Conviction Information Act stating that information will be sent to us, so that we can legally determine whether or not we have any felons soliciting in town.

We are also adding that solicitors are required to have ID cards, which will allow our citizens to know that they have been vetted out. This will be issued through the Police Department and is very inexpensive for us to do. They would have to submit an electronic format of their picture and we create the ID which states they are a solicitor; it has an expiration date and it must be prominently displayed. We also recommend adding that any charitable organization has ties to St. Charles.

When I compare our Ordinance to other communities, we are as restrictive, if not more, as most communities. And as always, if you have a “No Solicitors” tag on your door, they are not allowed to come up to your door. We have “No Solicitors” tags available at the front desk of the Police Department.

**Aldr. Payleitner:** How about Boy Scouts and Girl Scouts?

**Deputy Chief Kintz:** They are not included because they are charitable organizations.

**Aldr. Payleitner:** I also have young people come to the door and claim they are charitable.

**Deputy Chief Kintz:** They have to be able to prove through the State that they are a charitable organization.

**Aldr. Payleitner:** Where do pamphlet distributors fall in this?

**Deputy Chief Kintz:** They are not covered here. We obviously cannot restrict that they cannot put them on the windshields of cars in parking lots; I would have to go through the Ordinance to vet out the details, but I do not believe that is covered under the sections we are looking to change.

**Aldr. Payleitner:** I would like you to check into that, please.

**Aldr. Stellato:** The worst is the baggie with two rocks in it. I watched someone the other day drive through the neighborhood and throw them in driveways. I had a question posed to me as was that litter or solicitation? At some point, I would like to figure out how to delineate between the two.

**Deputy Chief Kintz:** I will check the details and get back to you on both those points.

**Aldr. Lewis:** Where do politicians fall in this, when they knock on your door?

**Deputy Chief Kintz:** It is not a solicitation for business, just informational, so they don't need an ID badge.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Silkaitis. Approved unanimously by voice vote. **Motion carried.**

**7.c. Recommendation to approve Street and Parking Lot Closures and Use of Amplification Equipment for the Fine Arts Show.**

**Police Chief Keegan presented.** This is a recommendation for approval of street and parking lot closures and use of amplification equipment for the Fine Arts Show. The event takes place Saturday, May 23 thru Sunday, May 24, and is located at South Riverside Avenue between Main Street and Illinois. The application permit is obviously part of this request. There will be no alcohol service this year as there is no preview party. The placement of the tent will be at the southern end of the BMO Harris Lot in conjunction with this event.

**Aldr. Krieger:** Will Second Avenue remain open, along with access to the parking deck?

**Chief Keegan:** The Parking Deck, yes. I believe Second Avenue will be kept open for the remainder of the event, but I will check on it and get back to you. Can I ask what has been the past practice?

**Aldr. Krieger:** Sometimes it's closed unofficially and it's blocking access to some businesses. Which is very unfair to the businesses. I would request that access to the parking deck be kept open.

**Chief Keegan:** Duly noted, and I will pass that along to Commander Mahan.

**Aldr. Stellato:** I would second that motion – with the amendment that approval is subject to keeping Second Avenue open.

No further discussion.

Motioned by Aldr. Stellato, seconded by Aldr. Krieger. Approved unanimously by voice vote. **Motion carried.**

**7.d. Recommendation to approve the use of City Plazas/Property and Use of Amplification Equipment for STC Live.**

**Police Chief Keegan presented.** STC Live will be held in various locations throughout the Downtown area on Wednesday and Friday evenings between 5:00 p.m. and 10:00 p.m. from Memorial Day weekend through September 13, 2015. This is the third year in a row for this event and there have been no issues thus far over the last three years.

STC Live will also take place in First Street Plaza and Volunteer Plaza which is behind the Municipal Center. In the past we have also done some outreach with Blue Goose Market, Kimmer's Ice Cream and Dick Pond Athletics. The performances include musicians, jugglers and magicians.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Bancroft. Approved by voice vote. **Motion carried.**

**7.e. Recommendation to approve a Resolution Requesting the Closure of Routes 64 and 31 for the Memorial Day Parade.**

**Police Chief Keegan presented.** This is a recommendation to approve a Resolution for the closure of Routes 64 and 31 for the Memorial Day Parade. This year's event takes place on May 25, 2015 on Main Street between the hours of 9:30 and 11:00 a.m. This resolution will be forwarded to the Illinois Department of Transportation for final approval.

No further discussion.

Motioned by Aldr. Krieger, seconded by Aldr. Stellato. Approved by voice vote.  
**Motion carried.**

**7.f. Recommendation to Amend approval for Street and Parking Lot Closures for 2015 St. Charles Half Marathon.**

**Deputy Chief Huffman presented.** As you are aware, on August 24, 2014, City Council voted to approve street and parking lot closures for the St. Charles Half Marathon. This half marathon is to be held on Saturday, April 25 beginning at 7:00 a.m. The Traffic and Special Events Unit, in preparation for this event, did a logistical run through of the route and had a few concerns that they wanted to bring forward.

The Police Department would like to request the closure of North Third Street between West Main Street and Cedar Street on the day of the race from 6:30 a.m. to 7:30 a.m. Also, we would like to request “No Parking” on Dean Street on April 25 from 5:00 a.m. to 11:00 a.m. The reason for the North Third Street closure is this will allow us to more safely stage the runners that are going to be participating in the race as opposed to the 200 block of Cedar Street, which is what was originally asked for.

If you approve the closure of North Third Street for that one hour time period, it also eliminates the need for us to close Cedar Street at Second Street. The request for no parking on Dean Street is to allow a safe path for the runners and also allow for the normal flow of traffic. If you approve no parking on Dean Street, Multi-Sport Madness will notify every resident on Dean Street of the no parking restrictions and in addition, the Police Department will put a lighted board advising of the parking restrictions and that will be put out on April 22 before the race.

There is a paragraph in your Executive Summary about the Timbers Subdivision. Multi-Sport madness is also running a 10k concurrent with the half marathon; however, that has changed. They are not going to use the Timbers Subdivision for the race route. Instead, the 10k will run the same route as the half marathon so there are no additional closures needed.

Staff recommends and requests approval for the additional street closures at North Third Street, as well as the parking restrictions on Dean Street.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Bessner. Approved by voice vote. **Motion carried.**

**8.a. Recommendation to approval proposal for a Class B liquor license for Shima's Sushi to be located at 2400 E. Main Street, St. Charles (former Sushi Yama Restaurant).**

**Mayor Rogina presented.** We are going to have before you three separate and distinct Class B Liquor Licenses that are being proposed. I'd like to give you a little background on all three, so I don't have to repeat myself. In all cases, the Police have done their customary investigations and there is nothing to preclude either the site or the applicants from moving forward with the liquor sales and on-site consumption, subject to your approval. All three also have a commonality in the fact that there is no late night permit being requested on any of these licenses.

Having said all of that, this item is a recommendation to approve a proposal for a Class B Liquor License for Shima's Sushi to be located at 2400 East Main Street, formerly Sushi Yama Restaurant. Mr. Kotaki is here tonight; he presented to the liquor commission. The establishment he is presenting to open on the east side of town is already well established in Campton Hills. This met with unanimous approval of the liquor commission.

No further discussion.

Motioned by Aldr. Stellato, seconded by Aldr. Payleitner. Opposed by Aldr. Krieger. Approved by voice vote. **Motion carried.**

**8.b. Recommendation to approve proposal for a Class B liquor license for Salsa Verde located at 1850 Lincoln Highway.**

**Mayor Rogina presented.** This is a recommendation to approve a proposal for a Class B Liquor License for Salsa Verde Restaurant, located at 1850 Lincoln Highway. This particular organization did receive a 2014 Charlemagne Image Award for their establishment. The proposed to the liquor commission that they want to serve beer and margaritas, so that is the extent of the liquor they are serving. It should also be noted the vote on the liquor commission was a three to one vote with Aldr. Lewis dissenting.

**Chairman Martin:** Will there be any liquor served through the drive thru?

**Mayor Rogina:** That is prohibited by City ordinance.

**Aldr. Lewis:** I did vote again this last week at the liquor commission and I would like to explain why I did. In my opinion, as an Alderman it is part of my job to set the style, the direction and the tone of the City. I do not think that having liquor licenses in establishments that are fast food establishments is the right direction for the City of St. Charles to go. In my mind, fast food, drive thru and liquor are not three words that I put together in the same sentence. Those are my reasons; it has nothing to do with the owners or the establishment that they run. I just don't believe that fast food, drive thru and liquor should be granted a license.

**Chairman Martin:** Kristi, please call a roll.

**K. Dobbs:**

**Lewis:** No

**Stellato:** Yes

**Silkaitis:** Yes

**Payleitner:** Yes

**Lemke:** Yes

**Turner:** Yes

**Bancroft:** Yes

**Krieger:** No

**Bessner:** Yes

No further discussion.

Motioned by Aldr. Stellato, seconded by Aldr. Turner. Approved by voice vote. **Motion carried.**

**8.c. Recommendation to approve proposal for a Class B liquor license for Ram Restaurant Group Inc. d/b/a Abby's to be located at 11 N. 3<sup>rd</sup> Street #2, St. Charles (former Thai Zie Restaurant).**

**Mayor Rogina presented.** The last application is a recommendation to approve a proposal for a Class B liquor license for Ram Restaurant Group, Inc., d/b/a Abby's to be located at 11 N. 3<sup>rd</sup> Street, formerly Thai Zie Restaurant. The local owners of Abby's are here tonight. Abby's is going to be a breakfast establishment, so there will be no late night permit involved; their hours of operation are early morning until 4:00 p.m. This did meet unanimous approval of the liquor commission.

**Chairman Martin:** Kristi, please call a roll.

**K. Dobbs:**

**Lewis:** No

**Stellato:** Yes

**Silkaitis:** Yes

**Payleitner:** Yes

**Lemke:** Yes

**Turner:** Yes

**Bancroft:** Yes

**Krieger:** No

**Bessner:** Yes

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Bancroft. Approved by voice vote.  
**Motion carried.**

**8.d. Recommendation to approve Late Night Permits for Class B and C Licenses of the City of St. Charles for FY 15/16.**

**Mayor Rogina presented.** This is a recommendation to approve late night permits for Class B and C licenses for the City of St. Charles for FY 15/16 in accordance with City Code 5.08. Upon review of the local liquor commissioner, the commissioner shall make a recommendation to Council per the code and late night permits and renewals of late night permits shall be issued by the liquor commissioner with the advice and consent of the City Council.

I recommend to approve the Late Night Permits for Class B and C Licensees for FY 15/16.

**Chairman Martin:** I have a prepared statement that I sent to Chief Keegan, the Mayor and Mark Koenen:

“The liquor commission recommended renewal of 2:00 a.m. licenses to the four establishments listed below and in my opinion it is unfair to the rest of the establishments in town with no incidents to issue 2:00 a.m. licenses to these four establishments, given the citations and numerous events listed. It sends a message to the others that it is okay to allow unruly behavior. It also discredits the ordinance and review process. Why review the issuance of 2:00 a.m. licenses if these four receive the licenses. I would ask the committee seriously consider the allocation of 2:00 a.m. licenses to these four establishments being The Filling Station, Alley 64, Alibi and Beehive.”

**Aldr. Turner:** I think Chairman Martin makes a good point. The police are at these places all the time. Why are we giving them a 2:00 a.m. license?

**Mayor Rogina:** Before we go any farther, I think we have to go into the philosophy and specifics. We are looking at numbers of incidents. Deputy Chief Huffman will talk about what incident means here, and it is very important to listen to what incident means. After that is done, I'm happy to report to you the number of citations since the liquor commission was formed.

**Deputy Chief Huffman:** The numbers you have before you are a comparison of calls for service that generated police reports beginning with the licensing period in 2013 and 2014. These are a representation of a number of police reports that were generated at those individual establishments; however, there is representation of a few other things as well. With the implementation of the late night permit process, the Police Department

changed procedures on how they approach bars and how we document activities at those locations.

For example, a Police Officer may notice himself while foot patrolling the Downtown bar area or he may receive a complaint in reference to noise coming from a specific bar. In the past, an officer could use his discretion, talk to the bar owners and ask them to turn their music down. In the past, that wouldn't generate a police report. We instructed our officers to write reports on those types of things so we can track patterns of activity in the Downtown Bar area, so the officers are starting to take more reports on things that they wouldn't have in years prior.

In addition, we believe the numbers are also a representation of the level of cooperation that we have received from the individual establishments. We have asked the bar owners to call 911 each and EVERY time they have a problem. The bar owners have done everything that we have asked them to do in trying to abate the issues in their establishments and that has resulted in more calls to 911 and more generated police reports.

**Aldr. Turner:** When did we start doing that? There is no difference in the numbers for the last two years at all.

**Deputy Chief Huffman:** We started that in December, when I was Acting Chief. We do have regular meetings and whenever we see a pattern of activity at an establishment, we immediately meet with the bar owners. Through those meetings and discussions, we have had abatement plans put in place and again, the bar owners have done everything we have asked them to do and then some.

**Mayor Rogina:** I would like to point out a couple other things. As liquor commissioner here, I asked for a copy of the four licensee's violations and what the specific incidents were. I can tell you two of the four licensees had no citations at those bars. You can take the Beehive for example. If you look at the list, you will notice that in a lot of examples, it was the bar that took the initiative to make the call. I've learned a lot from Chief Keegan this past year and one thing that stood out in my mind is that we do not want to create an atmosphere where a panel of people looking at numbers can take away permits. This went to liquor commission last week. After discussion took place, the liquor commission unanimously approved a recommendation to the Committee to approve these particular permits.

I want to make sure there is continued cooperation among our licensees, that they are not afraid to call 911. A recent incident at one of the establishments in town was that a woman decided to throw a shot glass at a bartender. The fact remains that she had one drink all night; she came in over-medicated and drank alcohol. The particular licensee called 911 and there was a response.

Since we created the liquor commission, we have had seven citations in two years. In each one of those citations, the liquor commissioner, with advice and consent from liquor



commission, has doled out punishments that have included not only fines, but a suspension of license and a reduction in permit. I have the authority moving forward to do the same thing for a period of time. I would like to think that we are in no position to tell someone we are going to cut them off an hour based upon this particular data, particularly when we have input from staff and the liquor commission that says we should move ahead and renew. If an establishment is issued a citation, it will be dealt with accordingly.

I respectfully disagree with Chairman Martin and encourage you to NOT reduce the permits for the four named licensees that he has indicated.

**Chairman Martin:** Would you give me some assurance that these events will not occur from the period of May 1 through April 30 of next year?

**Mayor Rogina:** I will not give any assurance saying that licensees will not call the Police Department if there is trouble. I will not; I want them to call. If they don't call, we lost our grip on what we are trying carefully and meticulously to do here. As liquor commissioner, I'm proud of seven citations in two years. I don't think that is a large number at all. I'm also proud of the Police Department for what I believe to be a solid engagement of licensees here in this community. I would like to remind you that you, as a group, in the last month agreed to stricter penalties for the offenders when they commit sophomoric incidents.

**Chief Keegan:** In my short tenure here as Chief of Police, with 23 years of Police experience, including 18 years at the command level, I can say that how we police our bars and the attention that we give our bar district and liquor license holders is second to none. Our officers are out on foot, we patrol the areas where consumption takes place better than anybody. I have been very impressed with staff.

Secondly, we follow the advice and direction of Council. We have the strictest ordinances in the northwest suburbs and the western suburban area of Chicagoland; people are held accountable for bad behavior. You are the legislative body for the City; you set the ordinances and it's up to us to enforce them.

I can tell you that the takes place vigorously. If we see misconduct, we don't sweep it under the rug – we act on it to prohibit it from happening again. That's why you see violations and/or incidents, because we document them and we take action. I'm very proud of the work that the men and woman of the Police Department do. I can assure you that I look at every report that comes in along with the Deputy Chief. If there is anything that needs to be brought to the liquor commission's attention, we do so. Sometimes it involves a sit down with the bar owner, other times, depending on the severity and the history, there is a violation and/or warning that gets documented or sent out. In either case, it is articulated with follow-up. I want to reiterate that I am very impressed with the way that our men and women of our Police Department police our Bar District and our Liquor License holders in general.

**Aldr. Lewis:** I'm a little confused; we did not have this at the Liquor Commission, this is the first I'm seeing it tonight. Explain to me how you determine an arrest and a citation? You say there are only seven citations, but then there are all these arrests, so are they included in the incidents?

**Deputy Chief Huffman:** The Mayor is referring to the Civil Citations in front of the Liquor Commission which is a citation against the license itself. The report you have in front of you will indicate whether a citation was issued to the subject, which could be a ticket for fighting or public urination, in which case they go to the adjudication process. An arrest is a State arrest where we actually take them into custody.

**Aldr. Lewis:** When you do you cross that line? Sometimes there are no arrests for fighting and sometimes there are.

**Deputy Chief Huffman:** There are so many circumstances that would play into that decision. It's officer discretion; it depends on the investigation, whether they can develop probable cause for the arrest, whether a citation is appropriate, etc.

**Aldr. Lewis:** So this is the actual activity that was documented? There could be other verbal conversations with no citation, no arrest, just contact made.

**Deputy Chief Huffman:** Yes.

**Aldr. Payleitner:** What is key for me is the between an incident vs. citation; to make that distinction is important. Another point that is really important to me is the ongoing engagement with businesses. By doing so, we are looking out for institutional issues. We have outstanding officer discretion under the leadership of the Deputy Chief and the Chief.

**Mayor Rogina:** When a business has lost institutional control, we have to let them know that they are walking on thin ice.

Chairman Martin, while I respectfully disagree with your point, I agree with you that we don't want any shenanigans. We want to be the best we can be. I think we have been making big changes and sending a very strong message and I'm confident in moving forward with our plan.

**Aldr. Lemke:** If I'm reading it right, the reason there may be more 911 calls is that the caller at the establishment made the decision to err on the safe side and made the call?

**Mayor Rogina:** Yes and I believe strongly that the Police Department encourages that.

**Aldr. Stellato:** I think this chart is misleading. You might want to have an incident chart and then an actual citation chart, because otherwise these numbers could be misleading.

**Mayor Rogina:** We can do that.

**Aldr. Bancroft:** I applaud the Police Department for documenting these incidents because it's really the only way you can assess institutional control. Over a period of time, if you see that repetitive behavior and your relationship with the licensee is one where you can approach them and talk to them about it, and if it's not getting better, there is just that much more credibility if action needs to be taken.

**Chairman Martin:** My final comment is that we have two years running and I would expect that for May 1, 2015 through April 20, 2016, those numbers should drastically be reduced.

**Chairman Martin:** Kristi, please call a roll.

**K. Dobbs:**

**Lewis:** Yes

**Stellato:** Yes

**Silkaitis:** Yes

**Payleitner:** Yes

**Lemke:** Yes

**Turner:** Yes

**Bancroft:** Yes

**Krieger:** No

**Bessner:** Yes

No further discussion.

Motioned by Aldr. Stellato, seconded by Aldr. Payleitner. Approved by voice vote.

**Motion carried.**

**9. Additional Business.**

**10. Executive Session**

None.

**11. Adjournment from Government Services Committee Meeting.**

Motion by Aldr. Stellato, seconded by Aldr. Silkaitis. No additional discussion.

Approved unanimously by voice vote. **Motion carried.**